

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Case: 3:20-cv-05671-JD Epic Games, Inc. v. Google LLC et al  
21-md-02981-JD In re Google Play Store Antitrust Litigation

**EXHIBIT and WITNESS LIST**

|                                       |  |   |
|---------------------------------------|--|---|
| <b>JUDGE:</b><br>Hon. James Donato    | <b>PLAINTIFF'S ATTORNEY:</b><br>Lauren Moskowitz,<br>Yonatan Even, Gary Bornstein,<br>Brent Byars, Andrew Wiktor | <b>DEFENSE ATTORNEY:</b><br>Lauren Bell, Jonathan Kravis,<br>Michelle Chiu, Brian Rocca,<br>Kuru Olasa, Kyle Mach,<br>Justin Raphael, Glenn Pomerantz,<br>Nick Sidney |
| <b>JURY TRIAL DATE:</b><br>11/13/2023 | <b>REPORTER(S):</b><br>Kelly Shainline   | <b>CLERK:</b><br>Lisa R. Clark  |

| PLF NO. | DEF NO. | TIME OFFERED | ID | REC | DESCRIPTION  | BY  |
|---------|---------|--------------|----|-----|--|-----|
|         |         | 9:06 am      |    |     | Court in session; out of the presence of the jury. Google's motion to seal trial exhibits, Dkt. No. 769, denied. |     |
|         |         | 9:15 am      |    |     | Court in recess.   |     |
|         |         | 9:16 am      |    |     | Court in session; all parties and jury present.  |     |
|         |         | 9:18 am      |    |     | Plaintiff calls James Kolotouros -- direct examination.  |     |
| 647     |         |              | X  | X   | Presentation dated 5/2019 titled "Android 101"   | LRC |
| 617     |         |              | X  | X   | Presentation dated 8/2019 titled "MADA & RSA: Android Commercial Agreements"                                     | LRC |
| 5255    |         |              | X  | X   | Mobile Application Distribution Agreement (Android) (03/30/2017)   | LRC |
|         |         |              |    |     | Witness shown exhibit 617  |     |
| 623     |         |              | X  | X   | Email from J. Kolotouros to D. Thevenon re rev share agreement with OEMs (07/08/2014)                            | LRC |
| 624     |         |              | X  | X   | Slide deck titled, "Google Distribution on Android Framework" (06/01/2019)                                       | LRC |
| 627     |         |              | X  | X   | Premier Tier Requirements (05/12/2020)   | LRC |
| 626     |         |              | X  | X   | Google Mobile Revenue Share Agreement (02/01/2020)   | LRC |
| 629     |         |              | X  |     | Android Premium Working Group (03/13/2020)   |     |
|         |         |              |    |     | Witness shown exhibit 8523   |     |
| 652     |         |              | X  | X   | Document titled, "Store Agreement Term Sheet" (06/20/2019)   | LRC |
| 1065    |         |              | X  | X   | Document dated 11/4/2020 titled "Samsung 2020 Mobile Incentive Agreement(s)"                                     | LRC |
| 6446    |         |              | X  | X   | Jim Kolotouros "Notes for Don" (05/08/2019)  | LRC |
|         |         | 10:32 am     |    |     | Stretch break  |     |
|         |         | 10:33 am     |    |     | Cross-examination of James Kolotouros  |     |
|         |         |              |    |     | Witness shown exhibit 627  |     |

| <b>PLF NO.</b> | <b>DEF NO.</b> | <b>TIME OFFERED</b> | <b>ID</b> | <b>REC</b> | <b>DESCRIPTION</b>   | <b>BY</b> |
|----------------|----------------|---------------------|-----------|------------|--|-----------|
|                | 5187           |                     | X         | X          | Android Compatibility Commitment (01/30/2012)  | LRC       |
|                | 5399           |                     | X         | X          | "Mobile Application Distribution Agreement (MADA)" (01/01/2018)  | LRC       |
|                |                |                     |           |            | Witness shown demonstrative 1, 2, 3  |           |
|                |                | 10:55 am            |           |            | Court in recess.   |           |
|                |                | 11:19 am            |           |            | Court in session; all parties present. The Court will hold a witness hearing on the chats issue, out of the presence of the jury, on November 16, 2023, at 3 p.m.    |           |
|                |                |                     |           |            | All parties and jury present; cont'd cross-examination of James Kolotouros.  |           |
|                |                |                     |           |            | Witness shown demonstrative 4  |           |
|                |                |                     |           |            | Witness shown exhibits 626, 623, 624, 1  |           |
|                | 6066           |                     | X         | X          | 7/12/2019 email from J. Rosenberg to T. Lim, P. Bankhead, P. Gennai, J. Kolotouros, C. Li, S. Samat, S. Krishnamachari, W. Logan, A. Kumar, P. Kochikar, M. Hochberg | LRC       |
|                | 628            |                     | X         | X          | Document dated 3/27/2020 titled "Partner Info Doc- Oneplus 8 Fortnite partnership"   | LRC       |
|                |                | 11:44 am            |           |            | Re-direct of James Kolotouros  |           |
|                |                |                     |           |            | Witness shown exhibits 627, 624  |           |
|                |                | 11:58am             |           |            | Court asks witness juror question numbers 2, 3, 4  |           |
|                |                | 12:00 pm            |           |            | Court in recess.   |           |
|                |                | 12:40 pm            |           |            | Court in session; all parties and jury present. Plaintiff calls Jamie Rosenberg -- direct examination.   |           |
| 8029           |                |                     | X         | X          | No description provided  | LRC       |
| 801            |                |                     | X         | X          | Email from J. Rosenberg to P. Kochikar re PLEASE READ: WSJ details (08/27/2013)  | LRC       |
| 800            |                |                     | X         | X          | Email from J. Rosenberg to S. Kassardjian re DirecTV Status (05/26/2016)   | LRC       |
| 799            |                |                     | X         | X          | Email from J. Lagerling to J. Rosenberg re Wallet and DCB (10/08/2013)   | LRC       |
| 5963           |                |                     | X         | X          | May 2016 Google presentation titled "GMS apps on Low RAM - leadership update"  | LRC       |
| 682            |                |                     | X         | X          | Amazon competitor deep dive slide deck (4/2017)  | LRC       |
|                |                |                     |           |            | Witness shown exhibit 805.   |           |
| 806            |                |                     | X         | X          | 8/8/2018 email from J. Rosenberg to C. Smith   | LRC       |
| 761            |                |                     | X         | X          | Email from E. Cunningham to S. Samat re FN Update (08/15/2018)   | LRC       |
| 8564           |                |                     | X         | X          | No description provided  | LRC       |
| 8568           |                |                     | X         | X          | No description provided  | LRC       |
|                |                |                     |           |            | Witness shown exhibit 136  |           |

| PLF NO. | DEF NO. | TIME OFFERED | ID | REC | DESCRIPTION   | BY  |
|---------|---------|--------------|----|-----|---|-----|
| 783     |         |              | X  | X   | Email from J. Kolotouros to H. Lockheimer re Samsung Store Proposal (05/30/2019)                                | LRC |
| 785     |         |              | X  | X   | Email from J. Kolotouros to S. Samat re Samsung Next Steps (06/06/2019)   | LRC |
| 787     |         |              | X  | X   | Email from E. Crosby to J. Kolotouros re Banyan (06/19/2019)  | LRC |
|         |         | 2:00 pm      |    |     | Court in recess.  |     |
|         |         | 2:17 pm      |    |     | Court in session; out of the presence of the jury.  |     |
|         |         | 2:18 pm      |    |     | Court in session; all parties and jury present.   |     |
| 708     |         |              | X  | X   | Document titled, "Ruminations on Play's Business model" (08/07/2019)  | LRC |
|         |         | 2:24 pm      |    |     | Cross-examination of Jamie Rosenberg  |     |
| 6133    |         |              | X  | X   | 2/7/2019 email from S. Samat to E. Crosby   | LRC |
|         |         |              |    |     | Witness shown exhibits 136, 652, 6066, 805, 761, 8564, 682, 8029  |     |
| 5956    |         |              | X  | X   | 3/24/2015 email from J. Rosenberg to H. Lockheimer  | LRC |
| 5996    |         |              | X  | X   | 5/28/2016 email from J. Rosenberg to S. Samat, P. Gennai, M. Petrillo, L. Fontaine, V. Buch, S. Newberry, K. Oh | LRC |
| 5580    |         |              | X  | X   | 6/8/2016 email from S. Samat to J. Rosenberg  | LRC |
| 5674    |         |              | X  | X   | Presentation dated 7/31/2017 titled "Subscriptions V2 Follow-Up"  | LRC |
|         |         |              |    |     | Witness shown exhibit 708   |     |
|         |         | 3:20 pm      |    |     | Re-direct of Jamie Rosenberg  |     |
|         |         |              |    |     | Witness shown exhibits 805, 136, 5996, 5674   |     |
|         |         | 3:29 pm      |    |     | Court in recess.  |     |
|         |         |              |    |     | Plaintiff has 1504 minutes left.  |     |
|         |         |              |    |     | Defendant has 2033 minutes left.  |     |